

Doc Code: AP.PRE.REQ

PTO/SB/33 (07-05)
Approved for use through xx/xx/200x. OMB 0651-00xx
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PRE-APPEAL BRIEF REQUEST FOR REVIEW		Docket Number (Optional) 074104.0121										
I certify that this communication is submitted to the U.S. Patent and Trademark Office (USPTO) through the Electronic Filing System (EFS) on the below date: on <u>December 2, 2008</u> Signature <u><i>Crystle Garbade</i></u> Typed or printed name <u>Crystle Garbade</u>		Application Number <u>10/829,667</u>	Filed <u>April 22, 2004</u>									
		First Named Inventor <u>Arnold Thaler</u>										
		Art Unit <u>3621</u>	Examiner <u>Kamal, Shahid</u>									
<p>Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.</p> <p>This request is being filed with a notice of appeal.</p> <p>The review is requested for the reason(s) stated on the attached sheet(s). Note: No more than five (5) pages may be provided.</p> <p>I am the</p> <table border="0"><tr><td><input type="checkbox"/> applicant/inventor.</td><td><u><i>Brian K. Prewitt</i></u> Signature</td></tr><tr><td><input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</td><td><u>Brian K. Prewitt</u> Typed or printed name</td></tr><tr><td><input checked="" type="checkbox"/> attorney or agent of record. <u>60,135</u> Registration number</td><td><u>512.322.2684</u> Telephone number</td></tr><tr><td><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34</td><td><u>December 2, 2008</u> Date</td></tr></table> <p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.</p> <table border="1"><tr><td><input type="checkbox"/> *Total of _____ forms are submitted.</td></tr></table>				<input type="checkbox"/> applicant/inventor.	<u><i>Brian K. Prewitt</i></u> Signature	<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	<u>Brian K. Prewitt</u> Typed or printed name	<input checked="" type="checkbox"/> attorney or agent of record. <u>60,135</u> Registration number	<u>512.322.2684</u> Telephone number	<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34	<u>December 2, 2008</u> Date	<input type="checkbox"/> *Total of _____ forms are submitted.
<input type="checkbox"/> applicant/inventor.	<u><i>Brian K. Prewitt</i></u> Signature											
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)	<u>Brian K. Prewitt</u> Typed or printed name											
<input checked="" type="checkbox"/> attorney or agent of record. <u>60,135</u> Registration number	<u>512.322.2684</u> Telephone number											
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34	<u>December 2, 2008</u> Date											
<input type="checkbox"/> *Total of _____ forms are submitted.												

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.